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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR03-549-TSZ
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 PAPATAIA FESILI, JR.) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
13 _____)

14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on October 16, 2009. The United States was represented by AUSA Patricia C. Lally and the
16 defendant by Richard J. Troberman. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about September 1, 2004 by the Honorable Thomas
18 S. Zilly on a charge of Manufacture of Methamphetamine, and sentenced to 71 months custody,
19 5 years supervised release. (Dkt. 42.)

20 The conditions of supervised release included the standard conditions plus the
21 requirements that defendant be prohibited from possessing a firearm, submit to drug testing,
22 participate in a drug treatment program, submit to search and provide access to financial

01 information.

02 On August 27, 2009, the defendant was sentenced to thirty days in custody for violating
03 the conditions of supervised release by using methamphetamine and cocaine, failing to participate
04 in drug treatment and failing to submit to drug testing. (Dkt. 56.)

05 In an application dated October 13, 2009 (Dkt. 58, 59), U.S. Probation Officer Joe G.
06 Mendez alleged the following violations of the conditions of supervised release:

07 1. Using methamphetamine on or before 10/4/2009 in violation of standard condition
08 #7.

09 2. Failing to reside at the Pioneer Fellowship House Residential Reentry Center for
10 up to 120 days by being terminated on or about October 13, 2009, in violation of a special
11 condition.

12 Defendant was advised in full as to those charges and as to his constitutional rights.

13 Defendant admitted the alleged violations and waived any evidentiary hearing as to
14 whether they occurred. (Dkt. 62.)

15 I therefore recommend the Court find defendant violated his supervised release as alleged,
16 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
17 set before Judge Zilly.

18 Pending a final determination by the Court, defendant has been detained.

19 DATED this 16th day of October, 2009.

20 
21 Mary Alice Theiler
22 United States Magistrate Judge

01 cc: District Judge: Honorable Thomas S. Zilly
02 AUSA: Patricia C. Lally
03 Defendant's attorney: Richard J. Troberman
04 Probation officer: Joe G. Mendez
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